
(2002) 02 PAT CK 0016
In the Patna High Court
Case No : C.W.J.C. No. 2019 of 2002

Kishun Singh and Others

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 07-02-2002

Acts Referred:

Citation : (2002) 1 PLJR 680

Hon'ble Judges : R.N. Prasad, J

Bench : Single Bench

Judgement

R.N. Prasad, J.—The Petitioners have come before this Court for issue of direction to the Respondents to grant the same benefits to them as have been given to the writ Petitioners of C.W.J.C. No. 2551/96 and C.W.J.C. No. 2631/95, Annexures-5 and 4 respectively.

2. The Petitioners were members of Bihar Military Police. Petitioner No. 1 was holding the post of Sub-Inspector and Petitioner Nos. 2 and 3 were holding the post of Inspector. Petitioner No. 1 retired in the month of November, 2000 and Petitioner Nos. 2 and 3 retired in the month of November, 2001. Petitioners were promoted in the year 1991. However, date of promotion of similarly situated persons promoted on different dates, who were junior to the Petitioners was shifted with effect from 1.7.1979. However, in the case of Petitioners the date of promotion was not shifted with effect from 1.7.1979. Since Petitioners have retired they are not claiming monetary benefits rather they are claiming consequential benefits on shifting their date of promotion. According to the learned Counsel for the Petitioners the case of the Petitioners is similar to that of the Petitioners of C.W.J.C. No. 2551/96 and C.W.J.C. No. 2631/95 and as such Petitioners cannot be denied similar benefit as has been granted to them. Learned Counsel for the Respondents, however, stated that Respondent concerned be directed to consider the case of Petitioners.

3. Thus in view of the contention of learned Counsel for the parties writ petition is disposed of directing the authority concerned to consider the case of the

Petitioners as to whether their case is similar to that of the Petitioners of the aforesaid writ petitions or not. If it is found that their case is similar to that of those persons similar relief be granted to the Petitioners. The entire exercise of consideration must be made within a period of three months from the date of receipt/production of copy of the order.